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%06.11.2007

Present : Mr. Vipin K. Singh, Adv. for the petitioner
Mr. V.K. Tandon, Adv. for the respondent

+W.P.(C) No. 798/2007

This writ petition has been filed by the petitioner claiming to be in cultivatory possession of the land bearing Khasra Nos. 16/15 (4-16), 16/16 (4-16), 16/17(4-16), 16/18 (4-16), 11/21 (4-16), 16/6 (4-16), 16/23/1 (2-0), 16/25/1 (2-04), 17/1/1 (4-00) and 17/4 (4-16) measuring 41 bighas and 16 biswas situated in the revenue estate of village Mandoli, Shahdara, Delhi. It has been contended that the petitioner repeatedly approached the revenue assistant to record the petitioner's cultivatory possession of the subject land. However, despite the mandate of Rule 49 of the Delhi Land Revenue Act and the Delhi Land Revenue Rules, the respondents have failed to record the name of the petitioner in the relevant revenue records.

The writ petition has been filed making a prayer for issuance of an appropriate direction to record the possession of the petitioner in column no.21 of the Khasra Girdawri in respect of the revenue estate of village Mandoli, Shahdara, Delhi.

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Having regard to the complaint of the petitioner, in my view this writ petition can be disposed of at this stage itself. The respondent cannot avoid performance of the statutory functions and the directions of this court in series of judicial pronouncements. The respondents are statutorily required to inspect the land and to record the possession of the person found in cultivatory possession of the property.

Accordingly, the respondents shall ensure compliance with the statutory provisions of the Delhi Land Revenue Act and the Rules framed thereunder, verify the claim of the petitioner and make the necessary entries in the revenue recording the entry of the person who is found in possession within a period of eight weeks from today.

This writ petition is disposed of in the above terms.

Dasti to both the parties.

(GITA MITTAL)
JUDGE

November 06, 2007
SD